

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: June 12, 2006

Opposition No. 91168335

INGREDIA

v.

DARIGOLD, INC. DBA WESTFARM
FOODS

Cancellation No. 92045396

DARIGOLD, INC. DBA WESTFARM
FOODS

v.

INGREDIA

Frances S. Wolfson, Interlocutory Attorney:

Ingredia's motion (filed April 29, 2006) to consolidate these proceedings is hereby granted. The registration sought to be cancelled by Darigold, Inc. is one of the registrations pleaded by Ingredia in Opposition No. 91168335. In view thereof, the cases involve common questions of law and fact. See TBMP § 511 (2d ed. rev. 2004).

The cases may now be presented on the same records and briefs. Papers should bear the number of each of the

consolidated cases, although Opposition No. 91168335 is treated as the "parent" case, and most of the papers filed by the parties, or issued by the Board, will be placed only in the file of the parent case. The parties need not file a copy for each consolidated case; a single copy, bearing the number of each consolidated case, normally is sufficient.

Consolidated cases do not lose their separate identity because of consolidation. Each proceeding retains its separate character and requires entry of a separate judgment. See Wright & Miller, Federal Practice and Procedure: Civil §2382 (1971).

In view of the consolidation of these cases, Darigold Inc.'s motion (filed March 15, 2006) to suspend Opposition No. 91168335 pending disposition Cancellation No. 92045396 is moot.

Trial dates, including the close of discovery, are reset as indicated below.

DISCOVERY PERIOD TO CLOSE:	August 31, 2006
30-day testimony period for party in the position of plaintiff to close:	November 29, 2006
30-day testimony period for party in the position of the defendant to close:	January 28, 2007
15-day rebuttal period for party in the position of the plaintiff to close:	March 14, 2007

IN EACH INSTANCE, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within **thirty days** after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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